



NOTULES VAN DIE / MINUTES OF THE

**SPESIALE RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS
GEHOU OP**

30 JUNIE / JUNE 2025 @ 10H00

.....

SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

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MINUTES OF THE SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY
HELD ON 30 JUNE 2025

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PRESENT AND IN ATTENDANCE:

Cllrs., Heins, Richards, Scheepers, Mouton, Van Heerden, Strauss, Bergh, Farmer, Hayes, Blaauw, Engelbrecht.

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING

- The Chairperson welcomed all present and opened the meeting with a prayer.

*** .Part 5 (29) Speaker read out and emphasised the following:**

29.2.8 that no member, official or other person brings any food, beverages or alcohol into the Council Chamber or Council meeting venue, or uses cell phones, reads newspapers or magazines while meeting is in progress. All these are strictly forbidden;

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

- N/A

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3. APPLICATION FOR LEAVE OF ABSENCE

- Geen / None

4. INTERVIEWS OR PRESENTATIONS BY DEPUTATION

- Geen / None

5. STATEMENTS AND COMMUNICATION BY THE SPEAKER

CORRESPONDENCE FROM MINDE SCHAPIRO & SMITH INC RECEIVED AND DATED 23 JUNE 2025

Council previously rendered a decision under reference RB.3C/18-02-2025 regarding the correspondence received from the legal representatives, Minde Schapiro & Smith Inc., acting on behalf of Councillor J. Hayes and the Democratic Alliance. This correspondence alleged that the Special Council Meeting held on 14 February 2025 was unlawful.

Here is just a reminder of Council's decision taken on 18 February 2025:

RB.3C/18-02-2025 CORRESPONDENCE RECEIVED FROM LEGAL REPRESENTATION OF CLLR. J HAYES: UNLAWFUL CONTINUATION OF SPECIAL COUNCIL MEETING OF 14 FEBRUARY 2025

RESOLVED

- a. *That Council noted the letters received addressed to the Executive Mayor, Cllr. R Richards and the Municipal Manager, Mr. G Matthyse;*
- b. *A response from Council will only be initiated upon receiving official court papers pertaining to this matter; and*
- c. *That the Municipal Manager be mandated to act proactively in obtaining legal Council should this matter escalate to litigation.*

On 23 June 2025, the same legal representatives submitted additional correspondence to the Cederberg Municipality, stemming from their earlier communication in February 2025, concerning the alleged unlawfulness of the 14 February 2025 Special Council Meeting. This correspondence addressed two specific complaints:

1. Breach of the Code of Conduct against the Executive Mayor.
2. Serious misconduct against Municipal Manager.

It is then my ruling that Council reaffirms its commitment to the decision previously taken under RB.3C/18-02-2025 and maintains that its current position remains unchanged. That Council will continue to monitor developments and will respond appropriately once formal legal proceedings are initiated.

6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

7. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL COMMITTEE

- Geen / None.

- The Speaker announced that the order of business will change, That Council will now proceed to RB8.4.1/30-06-2025: Motion of no Confidence Against Executive Mayor, Cllr. R Richards.

8. MATTERS FOR CONSIDERATION

Rules of Order for Internal Arrangement

Part Four:

2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every apposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

Part 5

4. Councillor to address chair

A member who speaks at a meeting must address the chair.

Part 5

16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an office to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

Part 5

3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

Part 5

5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make an explanatory statement.

6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to-
 - 6.1.1 the matter and any amendments to that matter that is before the council;
 - 6.1.2 any motion before the council;
 - 6.1.3 to a matter or an amendment proposed or to be proposed by himself or herself;
 - 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.

8.1 RESOLUTIONS TAKEN BY COUNCIL

RB8.4.1/30-06-2025 MOTION OF NO CONFIDENCE AGAINST THE EXECUTIVE MAYOR, CLLR. RUBEN RICHARDS

Councillor Engelbrecht presented the motion as outlined in the agenda. Following his presentation, the Speaker quoted Part 19 of the Rules of Order, which states:

19.1 If the Council is called upon to consider a matter before it, the Speaker must ask the Council if there is any opposition to the matter from any councillor, and if there is opposition—

(a) the Speaker must put the matter to the vote as contemplated in these rules;

Councillor Richards was given the opportunity to respond to the allegations in the motion. After his response, Councillor Farmer expressed dissatisfaction and disappointment with Cllr. Richards, stating he does not necessarily agree with the Democratic Alliance but agrees with the content of the motion and will vote against the Executive Mayor. Cllr. Farmer's opposition was also influenced by Cllr. Richards' recent social media posts, where he referred to the DA, PA, and ANC Councillors as vultures.

The Speaker thanked Cllr. Farmer for his comments but then announced that he would not allow any further debate on the matter, citing the following Rule:

14.4 The speaker must put every opposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion.

Councillor Hayes raised a Point of Order, claiming that the Mayor had made personal accusations against him. The Speaker acknowledged that allegations had been made against the Mayor and he responded. Cllr. Hayes then argued that the Speaker was refusing to let Councillors respond to the Mayor's accusations, suggesting this was unfair.

Cllr. Engelbrecht reiterated that there was a motion of no confidence against the Mayor and insisted the Mayor must leave the meeting, arguing he should not participate in the vote. The Speaker **ruled** Engelbrecht out of order, explaining that

Councillor Richards, prior to becoming Mayor, was an elected councillor with the right to participate and vote.

In response to Cllr. Engelbrecht's statement, the Municipal Manager cited Schedule 3 of the Municipal Structures Act, emphasising that in cases of Councillor removal, each Councillor has the right to vote, highlighting this as a fundamental democratic right.

RESOLVED:

- 1) It is hereby noted that:
 - a. The mover and secondis of the said MONC were present and in attendance at the Special Council Meeting;
 - b. The proposer, Councillor J. Engelbrecht, read aloud the MONC for the record.

- 2) That the motion be considered and entertained.

Proposed: Cllr. M Bergh

Seconded: Cllr. A Scheepers

No Counter Proposals

- 3) It is noted that the Executive Mayor, Councillor Richard, presented his defence.

- 4) Council casted its vote pertaining to the acceptance of the MONC, against the Executive Mayor, Cllr. R Richards

4.1

VOTE

FOR ACCEPTENACE	AGAINST ACCEPTANCE	ABSTAIN
1 – PA 3 - DA	4 – CE 2 – ANC 1 – FF PLUS	-

- 5) It be noted that the Motion of No Confidence to remove the Executive Mayor, Cllr. R Richards, did not pass.

- 10 minutes caucus break was permitted by the Speaker to the Executive Mayor.
- After the caucus break, the Mayor with permission of the Speaker, proceeded:

Cllr. R Richards: “ I would just like to say that if I may, ever since I started as a Councillor, the passed 4 years, has been a very intense time. I dedicated myself more than I thought I would, to help and build, to rescue and to fix this very broken municipality as we discovered here. As one can expect, this is a tense political environment, but what I must confess is that I did not expect to be attacked in the way that I have been. I now want to take time to defend myself and in doing so, and in order to do so, I'm going to offer my resignation as Mayor. I want to say to you that the commission remains in tact and it will enjoy my on-going support. I will step down as the Mayor. Thank you”.

Cllr. Scheepers, with permission of the Speaker, continued:

“ Speaker, ek wil net vir die publiek en vir Council en almal rondom sê dat ek Azrial Scheepers, gaan ook bedank as Deputy Mayor. EK sal dan die briefie aan u oorgee”.

Cllr. Hayes: Ek wil net sê dis ongelukkig die feit dat julle my nie toelaat om in die Raad ons opinies te lig nie, en dit is hoekom julle ons dwing na sosiale media en die antwoord op die Mayor is, die proses van die beweerde klag teen my is reeds ondersoek. Hy is vir meer as 'n jaar in besit van 'n prokureurs verslag wat my onskuldig bevind. Daardie verslag het ander veslae het tot vandag toe nog nie Raad toe gekom nie.

Cllr. Richards: Point of Order Speaker. I would like the Councillor to provide the proof that I'm sitting with this report. What is he talking about or are we again in the situation where the Councillor is spreading mis-information. Thank you Speaker.

Cllr. Hayes: Dan wil ek my woorde her-prioritiseer en sê, dit was sy plig om te sorg dat daardie verslag by die Raad sal dien sedert 2023. Daar was 2 ondersoeke. U is besig met 'n derde ondersoek. Ek het nie 'n probleem met dit nie. Daar is iets soos double jeoperdy en daar is skeer nie iets soos triple jeoperdy nie.

Cllr. Hayes: Op 14 Februarie het u, die Mayor, the rule of order vлагаant oortree en 'n hofsaak wat pas gehou is...

Cllr. Richards: Point of Order. Speaker what is the relevance of the 14th of February to do with my resignation which is on the table.

Cllr. Hayes: Dit het baie relevansie daarmee. Die hofsaak van Matzikama verlede week, het bevestig dat julle..

Speaker: Cllr. Hayes ek dink nie Matzikama se hofsake het relevansie op die item waarmee ons nou mee besig is nie.

Cllr. Hayes: Al wat ek sê, die Mayor is bewus daarvan dat hy aangekla is vir die oortreding van 14 Februarie van magsreg.

Cllr. Bergh: Punt van Orde. Speaker jy het klaar gesê en ek wil dit net ondersteun, dat wat Cllr. Hayes nou sê, het absoluut niks te doen met die bedanking van die Mayor nou nie. Cllr. Hayes, kan dit wat hy nou wil sê, kan hy op 'n ander platform sê.

Cllr. Hayes: Ok, ek aanvaar dat ek dit op sosiale media kan sê, dankie.

Councillor Hayes stated that it is unfortunate that they are not allowed to express their opinions in Council, which is why he is compelled to do so on social media. He mentioned that the response to the Mayor and the process regarding the alleged complaint against him has been ongoing for over a year, with a lawyer's report declaring him innocent, a report that has yet to be presented to the Council.

Councillor Richards raised a Point of Order, requesting proof that the report which Cllr. Hayes is referring to, is in possession and suggested that Cllr. Hayes might be spreading misinformation.

Cllr. Hayes responded by emphasising that it was the Mayor's duty to ensure the report was provided to Council since 2023, noting that there have been two investigations,

and a third is ongoing. He argued there is no issue of double jeopardy, only a question of whether there can be triple jeopardy.

Cllr. Hayes also claimed that on 14 February, the Mayor flagrantly violated the rules of order. Cllr. Richards objected, asking about the relevance of the 14th February Meeting to the Mayor's resignation that was on the table.

Cllr. Hayes insisted that the court case in Matzikama last week confirmed that the Cederberg Mayor had committed a misconduct related to the 14th February meeting.

The Speaker interrupted, stating that Cllr. Hayes's mention of the Matzikama court case was not relevant to the current matter and Cllr. Hayes responded that he was simply stating that the Mayor was aware of being accused of misconduct on 14 February.

Councillor Bergh raised a Point of Order, supporting the Speaker's ruling that what Cllr. Hayes was saying had nothing to do with the Mayor's resignation, and suggested Cllr. Hayes could discuss this on another platform.

Cllr. Hayes acknowledged that he could share this information on social media, thanking them.

Councillor Richards stated that he has verbally resigned and is willing to provide a written resignation later to avoid any confusion. For the sake of efficiency, he asked it to be noted that he had resigned, but he would sign the written document later that day.

Councillor Farmer argued that the Mayor is out of order because he cannot simply verbally resign in Council and then delay submitting the written resignation. Cllr. Farmer emphasised that there cannot be any formal process without a written confirmation of the resignation.

- Cllr. Richards requested a caucus break and the Speaker permitted a 20 minute caucus break.
- After the caucus break 2 resignation letters was submitted to the Speaker, by Cllrs. Richards and Scheepers.

RB8.4.2A/30-06-2025 RESIGNATION OF EXECUTIVE MAYOR, CLLR. R RICHARDS

RESOLVED:

- a. That Council noted the resignation of the Executive Mayor, Cllr. R Richards.

RB8.4.2B/30-06-2025 RESIGNATION OF DEPUTY EXECUTIVE MAYOR, CLLR. A SCHEEPERS

RESOLVED:

- b. That Council noted the resignation of the Deputy Executive Mayor, Cllr. A Scheepers.

RB8.4.3/30-06-2025 ELECTION OF THE EXECUTIVE MAYOR

RESOLVED:

Due to the position of Executive Mayor being declared vacant, the Speaker, Cllr. M Heins facilitated the election process for the new Executive Mayor.

RESOLVED:

- a. It was noted that:
 - i. 2 nominations, Cllrs. Scheepers and Hayes, for the position of Executive Mayor was received;

- ii. **The nominee for Cllr. A Scheepers was Proposed** by Cllr. R Richards and **Seconded** by Cllr. P Strauss;
 - iii. **The nominee for Cllr. J Hayes was Proposed** by Cllr. J Engelbrecht and **Seconded** by Cllr. Y Blaauw;
 - iv. Voting was conducted by secret ballot. After all ballots were received and counted, it was determined that Councillor Hayes received 4 votes for the position of Executive Mayor, and Councillor Scheepers received 7 votes.
- b. The Speaker announced the voting results and declared that Cllr. A Scheepers was hereby declared the newly elected Executive Mayor for Cederberg Municipality.

Additionally, it was resolved that:

- c. That Council noted the speech delivered by the newly elected Executive Mayor, Cllr. A Scheepers.

RB8.4.3/30-06-2025 ELECTION OF THE DEPUTY EXECUTIVE MAYOR

Due to the position of Deputy Executive Mayor being declared vacant, the Speaker, Cllr. M Heins facilitated the election process for the new Deputy Executive Mayor.

RESOLVED:

1. It was noted that:
 - a. Only 1 nomination for the position of Deputy Executive Mayor was received;
 - b. **The nominee was Proposed** by Cllr. A Scheepers and **Seconded** by Cllr. J Van Heerden;
 - c. Given that there was only 1 nomination and it was unopposed, Cllr. R Richards was hereby declared the newly elected Deputy Executive Mayor of the Cederberg Municipality.

- The Speaker permitted Cllr. Y Blaauw to be excused for the duration of the meeting and he also permitted a 10 minute break.

RB8.4.3A/30-06-2025 AANOUNCEMENT OF APPOINTMENT OF MAYORAL COMMITTEE MEMBERS

RESOLVED:

A: That the following Councillors are appointed as the Mayoral Committee:

- 1) Cllr. A Scheepers: Executive Mayor
- 2) Cllr. R Richards: Deputy Executive Mayor
- 3) Cllr. A Mouton: Mayoral Committee Member
- 4) Cllr. J Van Heerden: Mayoral Committee Member

&

B: Announcement of Section 80 Committees Chairpersons

- 1) Cllr. R Richards: Corporate and Community Services
- 2) Cllr. A Mouton: Technical and Planning Services
- 3) Cllr. J Van Heerden: Financial Services

Sequence:

Councillor Hayes raised a Point of Order, alleging bias from the Speaker. He claimed that the meeting had the start of the meeting the Speaker spoke of video recordings and that the Speaker had allowed video recordings during the Council meeting without prior notice, which Cllr. Hayes considered partisan. He also criticised the delay in addressing correspondence from the DA's lawyers, questioning whether disciplinary charges would be presented today under regulation 5(2) and asked for a clear answer.

The Speaker responded by clarifying that Cllr. Hayes's concern, about handling the matter later, was within the Speaker's discretion and rejected Cllr. Hayes's accusation of partisanship. The Speaker explained that the issue involving the DA lawyers was scheduled as an urgent matter and would be addressed later in the meeting, but not at that moment. Cllr. Hayes persisted with further points of order, accusing the Speaker of being bias and claiming the Speaker had previously allowed other parties multiple caucus breaks but is denying him. Cllr. Hayes requested a one-hour caucus break for consultations with his legal team regarding an alleged illegal election of the Speaker on 14 February, citing a recent court ruling.

The Speaker maintained that points of order on this matter would no longer be entertained and reminded Cllr. Hayes that his requests were part of the agenda. The Speaker then granted a one-hour caucus break requested by the DA, with the meeting scheduled to resume at 13:30.

After the caucus break, Cllr. Engelbrecht reported that Cllr. Hayes and the lawyers were still busy. He also requested permission to be excused after the budget was handled, which the Speaker permitted and proceeded by confirming for the record, that Cllr. Hayes did not return to the Council Meeting after his request for a 1 hour caucus break.

RB8.1.1/30-06-2025 AMENDMENTS TO INCOME, OPERATIONAL AND CAPITAL EXPENDITURE PROJECTION – ADJUSTMENT BUDGET 2024/2025 JUNE 2025

RESOLVED

1. That Council approved the Adjustments Budget for 2024/25 financial year, amendments to income, operational and capital expenditure projections as set out in the following:
 - Municipal Budget tables B1 – B10
 - Municipal Budget Supporting Documentation SB1 – SB19

2. That Council noted that the Service Delivery Budget Implementation Plan be amended in line with these adjustments.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. A Mouton

Counter Proposal: None

RB8.1.2/30-06-2025 ADJUSTED/REVIEW OF THE TOP LAYER DELIVERY BUDGET IMPLEMENTATION PLAN (SDBIP) 2024/2025

RESOLVED:

1. That Council approved the Adjustment/Review Top Layer Service Delivery Budget Implementation Plan (SDBIP) 2024/2025
2. That the proposed changes be made on the Web based performance system;
and
3. That copies of the Adjustment/Review Top Layer Service Delivery Budget Implementation Plan (SDBIP) 2024/2025 be made available on the Municipal Website
 - Copies sent to the Provincial Treasury, National Treasury and Department of Local Government.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. A Mouton

Counter Proposal: None

RB8.1.3/30-06-2025 WRITE-OFF OF INTEREST EARNED ON OUTSTANDING DEBTORS INCORRECTLY CALCULATED

RESOLVED

1. Council approved to write off the amount of R 407 486.52 in respect of interest earned on outstanding debtors incorrectly calculated;
2. That the matter also be referred to the Municipal Public Accounts Committee for further investigation; and
3. That consequence management be implemented, if found necessary.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. A Mouton

Counter Proposal: None

RB8.1.4/30-06-2025 WRITE-OFF OF IRRECOVERABLE DEBT

RESOLVED:

A: Council approved the write off in respect of:

- 1. Old Age Homes/Crèches/Churches / Administrative Errors:**
Total amount to be written off: R 5 768 642.16
- 2. Suspense Debtors**
Total amount to be written off: R 2 536 676.03
- 3. Insolvent Debtor Account**
Total amount to be written off: R 234 660.59

B: It further be resolved:

1. That a Debtors Write-Off Committee be established before the end of July 2025;
2. That no-further write-off's be considered by Council unless this Committee recommends it;
3. It is noted that the delegations of the Municipal Manager and CFO are not subject to this Committee.

4. Point B2 shall be implemented separately/outside from the delegations of the Municipal Manager and CFO pertaining to write-off's.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. A Mouton

Counter Proposals: None

- It be noted that a 5minute caucus break was permitted to Cllr. Scheepers before the recommendation was read out and voting occurred.

RB8.1.5/30-06-2025 APPOINTMENT OF THE VALUATION APPEAL BOARD MEMBERS

RESOLVED:

1. The recommendations for Chairperson and members of the Cederberg Municipal Valuation Appeal Board, be noted.
2. Council recommended the following persons for appointment as Chairperson and members of the Cederberg Municipal Valuation Appeal Board:
 - a. Mr Christian Jacobus Van Zyl - Chairperson of the Municipal Valuation Appeal Board (currently serving on the board),
 - b. Mr Michiel Christiaan de Jongh - member of Municipal Valuation Appeal Board (currently serving on the board),
 - c. Mr Donovan Dalton – member of Municipal Valuation Appeal Board (currently serving on the board),
 - d. Mr Dean Stephen Ward - member of the Municipal Valuation Appeal Board (new member),
 - e. Mr Ikraamuddin Bray - member of the Municipal Valuation Appeal Board (new member).

Proposed: Cllr. J Van Heerden

Seconded: Cllr. A Mouton

Counter Proposals: None

RB8.1.6/30-06-2025 DISPOSAL OF ERF 357 FOR A LONG-TERM MANAGEMENT LEASE AGREEMENT

RESOLVED:

- i. That Council rescind its previous decision RB 9.1.7/28-05-2025 and authorises the Municipal Manager to embark on another competitive tender process by way of a call for proposals for a long-term management lease.
- ii. That erf 357 is not needed for the provision of basic municipal services.
- iii. That after Council considered the fair market value, the economic and community value, that Council approves the “disposal” of the property, in terms of a long-term management lease agreement.
- iv. Council explicitly expressed itself on the period of the long-term management lease.
- v. That an updated valuation certificate be obtained to enable the administration to determine the fair market value of the property which consists of 11 ha comprising only the Ramskop nature reserve.

Proposed: Cllr. A Mouton

Seconded: Cllr. M Bergh

Counter Proposals: None

RB8.1.7/30-06-2025 REVIEW OF CEDERBERG DISASTER MANAGEMENT PLAN

RESOLVED:

- a. That Council noted the Disaster Management Plan.
- b. That Council approved the proposed amendments to the Disaster Management Plan as per the item.

Proposed: Cllr. R Richards

Seconded: Cllr. M Bergh

Counter Proposals: None

RB8.1.8/30-06-2025 APPROVAL OF IMPLEMENTATION OF SALGA T.A.S.K JOB EVALUATION POLICY

RESOLVED:

- a. That Council approved the implementation of the SALGA T.A.S.K Job Evaluation Policy for Western Cape Municipalities.

Proposed: Cllr. A Mouton

Seconded: Cllr. R Richards

Counter Proposals: None

RB8.1.9/30-06-2025 COMPENSATION FOR TRAVELLING AND POLICY DEVELOPMENT: SENIOR MANAGERS

RESOLVED:

- a. The matter is deferred for further discussion; and
- b. That if the matter requires any urgency that Council would proceed by way of Round Robin.

RB8.1.10/30-06-2025 DEVIATIONS FROM AND RATIFICATION OF MINOR BREACHES OF, PROCUREMENT PROCESSES

RESOLVED:

1. Council, in terms of Section 36 of the Supply Chain Management regulations, took cognisance of the transactions for the month of May 2025.

RB8.1.11/30-06-2025 REPORT FROM WSP: DESALINATION PLANT

RESOLVED:

1. That Council noted the update report on the SWRO Desalination Plant project in Lamberts Bay.
2. That Council expressed their support in completing the project with the necessary grant funding provided by DWS (RBIG/WSIG), and
3. Additionally, Council noted its support in the following extract from the item tabled:

2.1 The condition assessment and audit reports from WSP have been conducted in 2024, and the impairment report provided to the AG. The status quo for the condition of the infrastructure is still current.

2.2 The MOA between DWS and Cederberg Municipality have expired in December 2023, and the RBIG funding allocation was withdrawn.

2.3 A new PSP was appointed in November 2024 for the conclusion of existing contract, and the completion of the plant.

2.4 Cederberg Municipality had to compile a new Business Case and Plan for funding from DWS and was submitted to DWS in March 2025.

2.5 An alternative method of discharging the brine was proposed (shoreline discharge), which is more affordable and maintenance friendly.

2.6 An installation of a solar plant to provide energy to the plant is also proposed to reduce the operating costs and make the unit costs of the water affordable.

2.7 The administration are engaging in a high-level meeting with DWS and DLG WC on the 25th and 26th June 2025 to discuss the funding mechanisms and way forward.

2.8 One of DWS's conditions for the continuation of the funding for the completion of the project, is that the current (suspended) contract with the existing contractor be concluded (ended) at Cederberg Municipality's cost. Estimated procedural costs for the conclusion is between R250 000 to R300 000.

2.10 The relevance of the completion of this project with regards to water security and water resilience for Lamberts Bay and in future Elands Bay can not be underestimated. The project is crucial for long term sustainable water supply.

Proposed: Cllr. A Mouton

Seconded: Cllr. J Van Heerden

Counter Proposals: None

RB8.1.12/30-06-2025 RENTING OF OFFICE SPACE

RESOLVED:

1. Council grants approval to continue with the prescribed procurement process:
Regulation 36: Deviate from Prescribed Procurement Processes for Renting of Municipal Office Space for the Supply Chain Unit and Financial Services Department.
2. Council granted approval to make known the intent and invite/solicit public comments.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. A Scheepers

Counter Proposals: None

RB8.1.13/30-06-2025 INFORMAL TRADERS POLICY

RESOLVED

1. That Council took cognisance of the Informal Traders Policy and it's content, that has been aligned with the approved Informal Traders By-Law.
2. That Council approved the Informal Traders policy with the amendments.

Proposed: Cllr. A Scheepers

Seconded: Cllr. R Richards

Counter Proposals: None

RB8.2/30-06-2025 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

RB8.2.1/30-06-2025 APPROVAL FOR THE ADVERTISEMENT OF, AND APPOINTMENT OF A SELECTION PANEL FOR THE RECRUITMENT PROCESS OF THE VACANT POSITION: DIRECTOR CORPORATE AND STRATEGIC SERVICES – CEDERBERG MUNICIPALITY

RESOLVED:

1. Council noted the resignation of Mr. H Witbooi as the Director in the relevant Directorate;
2. Council authorised the Municipal Manager to proceed with the process to advertise and fill the vacancy of the Director: Corporate & Strategic Services position.
3. Council approved the placement of an advertisement for the abovementioned vacancy in a national newspaper as prescribed in terms of legislation.
4. Council appointed a selection panel, constituted of between 3 and 5 members, in terms of regulation 12(4), as follows:
 - 4.1 The Municipal Manager, who will be the chairperson,
 - 4.2 A member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and
 - 4.3 At least one other person who is not a board member or employee of the municipality, and who has knowledge and experience of the advertised post.
5. Council approved the use of an external service provider to assist Council with the recruitment process for the vacancy.

6. Council noted the composition of the two directorates

Proposed: Cllr. A Scheepers

Seconded: Cllr. R Richards

Counter Proposals: None

- The Speaker, on behalf of Council, wished Mr. Witbooi well on his new journey at Swartland Municipality and thanked him for his years of service at Cederberg Municipality.
- The Speaker permitted a 5-minute break before Council proceeded in the In-Committee.

RB8.3/26-02-2025 MATTERS FOR NOTIFICATION

IN-COMMITTEE

RB8.1.14/30-06-2025 PERFORMANCE REVIEWS REPORT OF MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER

RESOLVED:

- 1.1. It be noted that the panel recommended that Council approve the payment of bonus of the all-inclusive annual remuneration package for the period 2023/24 as indicated below:

Name	Period	Bonus % Payable
Municipal Manager	1 July 2023 to 30 June 2024	
Director: Financial Services	1 July 2023 to 30 June 2024	

Name	Period	Bonus % Payable
Director: Support Services	1 August 2023 to 30 June 2024	
Director: Technical Services	15 November 2023 to 30 June 2024	

1.2. Council noted the bonus allocation in terms of Regulation 805;

1.3. Council to approved the bonus:

(a) A score of 130% to 149 % is awarded a performance bonus ranging from 5% to 9% and

(b) A score of 150% and above is awarded a performance bonus ranging from 10% to 14%:

- (i) **Mr. G. Matthyse:** Final score: 144.32% (Period 1 July 2023 to June 2024) = **8% performance bonus granted**
- (ii) **Mr N Smit:** Final score: 150.00% (Period 1 July 2023 to June 2024) = **10% performance bonus granted**
- (iii) **Mr. H. Witbooi:** Final score: 156.4% (Period 1 August 2023 to June 2024) = **10% performance bonus granted;** and
- (iv) **Mr R. de Ridder:** Final score: 140.4 % (Period 15 November 2023 to June 2024) = **7% performance bonus granted.**

1.4 It be noted that according to paragraph 11.3 of the signed performance agreement, a performance bonus of total package should be paid once the annual report for 2023/24 has been tabled to Council, as indicated in section 8 (1) of Regulation 805.

Proposed: Cllr. R Richards

Seconded: Cllr. M Bergh

Counter Proposals: None

IN-COMMITTEE

RB8.1.15/30-06-2025 COMPLAINT AGAINST EXECUTIVE MAYOR, CLLR. R RICHARDS

RESOLVED:

- a. That no investigation should be conducted; and
- b. It be noted that the Speaker, in his statements and communication, reaffirmed and ruled on the stance of Council, pertaining to RB.3C/18-02-2025, and as this matter emanated from the Special Council Meeting held on 14 February 2025.

Proposed: Cllr. M Bergh

Seconded: Cllr. A Scheepers

Counter Proposals: None

IN-COMMITTEE

RB8.1.16/30-06-2025 COMPLAINT AGAINST MUNICIPAL MANAGER, MR. GF MATTHYSE

RESOLVED:

- a. That no investigation should be conducted; and

- b. It be noted that the Speaker, in his statements and communication, reaffirmed and ruled on the stance of Council, pertaining to RB.3C/18-02-2025, and as this matter emanated from the Special Council Meeting held on 14 February 2025.

Proposed: Cllr. M Bergh

Seconded: Cllr. A Scheepers

Counter Proposals: None

IN-COMMITTEE

RB8.1.17/30-06-2025 RESOLUTION BY COUNCIL REGARDING CLACKSON POWER (PTY) LTD LETTER OF DEMAND, REQUEST FOR APOLOGY, AND REASON FOR COUNCIL RESOLUTION

RESOLVED:

- a) That Council rescind:
1. The Clackson matter tabled at the Urgent Special Council Meeting held on 12 December 2024
 2. Both signed resolutions RB7.1.1/12-12-2024, pertaining to Clackson, which emanated from the Urgent Special Council Meeting held on 12 December 2024.
- b) That a proper compliance audit and investigation be conducted by the administration pertaining to the licencing regulatory requirements for the Clackson Power matter and after the NERSA reply, report back to Council.
- c) It be noted that the licencing matter of Clackson Power (PTY) Ltd, is pending NERSA confirmation.
- d) In terms of the “**Request for Reasons**”
It be communicated to Clackson that the Council resolution that is referred to RB7.1.1/12-12-2024, was in fact never implemented nor ratified by Council.

e) In terms of the “**Letter of Demand**” and “**Apology**”

1 That the Administration be mandated to:

- a) Conduct a round table discussion with Clackson Power (Pty) Ltd on the alleged damages suffered during the period of 27 December 2024 – 29 January 2025.

Proposed: Cllr. A Scheepers

Seconded: Cllr. A Mouton

Counter Proposals: None

- It be noted that Cllr. M Bergh abstained from voting on this matter.

RB8.4/30-06-2025 CONSIDERATION OF MOTIONS OF EXIGENCY

- Geen / None

09. CLOSURE

- Meeting adjourned.

VOORSITTER / CHAIRPERSON

DATUM / DATE